

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MELISSA M. ARREY,

Plaintiff,

v.

CV 10-1139 GBW/CG

DOMENICA RUSH, in her official capacity as CEO of Sierra Vista Hospital; SIERRA VISTA HOSPITAL, a New Mexico Corporation; and RONALD NESTLE, in his individual and official capacities.

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL**

**THIS MATTER** has come before the court for telephonic hearing on August 12, 2011. The Court, having read the Plaintiff's *Motion to Compel Discovery of Defendant Nestle*, (Doc. 69), and *Defendants' Response to Motion to Compel*, (Doc. 76), having heard the arguments of counsel for the parties, and being fully informed on the issues presented, finds good cause to grant the motion.

**IT IS THEREFORE ORDERED** that:

1. Defendant Ronald Nestle shall promptly produce all items requested in Request No. 1 of Plaintiff's First Requests for Production to Defendant Nestle.
2. Defendant Ronald Nestle shall promptly sign and provide to Plaintiff's counsel the Authorization for Release of Pre-Prosecution Diversion Records attached to Plaintiff's Second Requests for Production to Defendant Nestle.
3. Confidentiality. Any documents produced or obtained pursuant to this order shall be

treated as confidential and shall be used for the sole purpose of the prosecution and defense of the claims made and defenses asserted in this case. Such documents shall not be otherwise disseminated or used for any other purpose. If any such documents are used as attachments to a pleading filed in this case, such attachments must be filed under seal. Nothing in this confidentiality order shall affect the admissibility into evidence of the documents or information produced in response to this order compelling production, nor shall it affect the rights of any party to seek judicial review or to pursue other appropriate judicial action with respect to any ruling made by the court concerning the confidential information.



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THE HONORABLE CARMEN E. GARZA  
UNITED STATES MAGISTRATE JUDGE

Submitted:  
/s/ John Tiwald

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John Tiwald  
Co-Counsel for Plaintiff

Approved as to form:

Email approved 8/18/2011  
/s/ Theresa Parrish

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Theresa Parrish  
Attorney for Defendants